

Mar-07-06 04:25pm From:HBS&R

1978-341-0136

T-271 P.01/08 F-791

DAVIDSON, BROOK, SMITH & REYNOLDS, P.C.

530 Virginia Road, P.O. Box 9133
Concord, MA 01742-9133

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

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Examiner: Office of Initial Patent Examination
Customer Service Center**Date:** March 7, 2006**Client Code:** 3593**Facsimile No.:** 571-273-8300**From:** Alice O. Carroll, Esq.**Subject:** Request for Corrected Filing Receipt**Docket No.:** 3593.1001-008**Applicant:** Gordon D. Ross (deceased)**Application No.:** 10/526,185**371(c) Date:** August 3, 2005Number of pages including this cover sheet: 8Please confirm receipt of facsimile: Yes X No **Sir:**

Attached please find a Request to Correct Filing Receipt and related papers.

Thank you,

Alice O. Carroll
Reg. No. 33,542

\\PFD\desktop\UDMA\MHODMA\HBSR05\admanagc.004407.1

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February 9, 2006

1978-341-0136

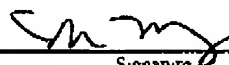
T-271 P.02/08 F-791
Docket No.: 3593.1001-008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAR 07 2006

Applicant: Gordon D. Ross (deceased)
Application No.: 10/526,185 Group: 1646
371(c) Date: August 3, 2005 Examiner: Not yet assigned
Confirmation No.: 6460
For: CANCER THERAPY USING BETA GLUCAN
AND ANTIBODIES

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
3-7-06	
Date	Signature
Meredith Herron	
Typed or printed name of person signing certificate	

REQUEST FOR CORRECTED FILING RECEIPT

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We hereby request that the following items of information be corrected in the Filing Receipt for the subject application received in this office on September 15, 2005.

A copy of the Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 is submitted herewith.

The errors and corrections appear below.

Mar-07-06 04:25pm From:HBS&R

1978-341-0136

T-271 P.03/08 F-791

10/526,185

-2-

In the title :

Please delete:

THERAPY-ENHANCING GLUCAN

and replace with:

CANCER THERAPY USING BETA GLUCAN AND ANTIBODIES


Enclosed are copies of the Filing Receipt with changes noted and a copy of the Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371.

Pursuant to instructions in the February 29, 2000 O.G., we hereby request that the errors which are identified above be corrected in the captioned application to which this request for correction is directed. It is understood that the Patent Office will issue an automatically-generated, corrected Filing Receipt in this and, if applicable, any other affected applications.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By


Alice O. Carroll

Registration No.: 33,542

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date:

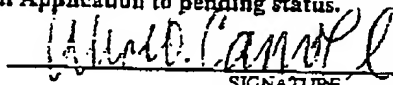
March 6, 2006

DAVID L. O.

BROOK, SMITH & KEYS, P.C.

COPY

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 3593.1001-008
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
INTERNATIONAL APPLICATION NO. PCT/US03/27975	INTERNATIONAL FILING DATE 04 September 2003 (04.09.2003)	EARLIEST PRIORITY DATE CLAIMED 04 September 2002 (04.09.2002)
TITLE OF INVENTION Cancer Therapy Using Beta Glucan and Antibodies		
APPLICANT(S) FOR DO/EO/US Gordon D. Ross		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1 <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371 2 <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3 <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below 4 <input checked="" type="checkbox"/> The US has been elected (Article 31). 5 <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired d. <input checked="" type="checkbox"/> have not been made and will not be made. 8 <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)) 9 <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10 <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98 12 <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included 13 <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15 <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825 18 <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4) 19 <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20 <input type="checkbox"/> Other items or information:		

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. PCT/US03/27975		ATTORNEY'S DOCKET NUMBER 3593.1001-008	
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic national fee		\$300.00		\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee					
If International preliminary examination report prepared by USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)		\$100.00			
All other situations		\$200.00		\$ 200.00	
23. <input checked="" type="checkbox"/> Search fee					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority		\$100.00			
International Search Report prepared and provided to the Office		\$400.00			
All other situations		\$500.00		\$ 100.00	
TOTAL OF 21, 22 and 23 =				\$ 600.00	
[] Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	15 - 20 =	5	x \$50.00		
Independent claims	6 - 3 =	3	x \$200.00	\$600.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			x \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 1200	
[] Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$	
SUBTOTAL =				\$1200	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$1200	
Fee for recording the enclosed assignment (37 CFR 1.21(h)) The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$1200	
				Amount to be refunded:	\$
				Amount to be charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$1200 cover the above fees is enclosed.					
b. [] Please charge my Deposit Account No. 08-0380 in the amount of \$[] to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-0380. A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO: Alice O. Carroll, Esq. Customer No. 021005 HAMILTON, BROOK, SMITH & REYNOLDS, P.C. 530 Virginia Road P.O. Box 9133 Concord, MA 01742-9133			 SIGNATURE Alice O. Carroll NAME 33,542 REGISTRATION NUMBER		



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APPL NO	FILING OR 371 (c) DATE	ART UNIT	FL FEE RECD	ATTY DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/526,185	08/03/2005	1646	665	3593.1001-008	26	15	6

021005
 HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
 530 VIRGINIA ROAD
 P.O. BOX 9133
 CONCORD, MA 01742-9133

CONFIRMATION NO. 6460
 FILING RECEIPT

OC000000016943114

OC000000016943114

Date Mailed: 09/09/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Gordon D. Ross, Prospect, KY, Deceased;
 Trunetta Jo Dockter Ross, Prospect, KY, Legal Representative;

Power of Attorney: The patent practitioners associated with Customer Number 021005.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US03/27975 09/04/2003
 which claims benefit of 60/408,126 09/04/2002

Foreign Applications

Projected Publication Date: 12/15/2005

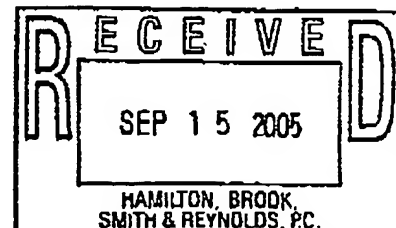
Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

~~Therapy enhancing glucan~~
 CANCER THERAPY USING BETA
 GLUCAN AND ANTIBODIES



Preliminary Class

514

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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